

## **REMARKS/ARGUMENTS**

### **1.) Status of the Claims**

Claims 1-30 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

### **2.) Claim Rejections – 35 U.S.C. § 102(b)**

Claims 1-30 stand rejected under 35 U.S.C. 102(b) as being anticipated by Epstein, *et al.* (U.S. Patent No. 6,023,510). Applicant respectfully traverses these rejections since, as previously argued, *Epstein* fails to disclose the subject matter of the rejected claims in as complete detail and as arranged by the relevant claims.

#### **I. Claim 1**

*Epstein* fails to recite, explicitly or inherently, every element of claim 1 for at least several reasons. Applicant addresses these issues below, along with the Office Action's responses to Applicant's previously-submitted arguments.

#### **a. Epstein fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity."**

Claim 1 recites "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity." The Office Action attempts to equate a user terminal or public terminal described by *Epstein* with the "data requesting entity" recited by claim 1, and a "query" described by *Epstein* with the "encrypted access granting ticket" recited by claim 1. See Office Action at pp. 4-5. However, in attempting to address the above element of claim 1, the Office Action cites to a portion of *Epstein* that describes "formulating by the user of a query to be sent to the provider." *Epstein* at col. 3, ll. 36-37 (emphasis added). Thus, the query in *Epstein* is formulated by the user and sent to the provider. As a result, the cited portion of *Epstein* does not disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing

entity" (emphasis added). In the "Response to Arguments" section, the Office Action completely fails to address or respond to this argument. *Office Action* at p. 3.

Additionally, the Office Action attempts to equate the information provider's public key with the "identifier of the data providing entity" recited by claim 1. *See Office Action* at p. 5. However, contrary to the Office Action's assertions, the cited portion of *Epstein* does not indicate that the information provider's public key can be used to identify the information provider, only that it can be used to encode the query. Thus, the information provider's public key is not an "identifier of the data providing entity" as recited by claim 1. Consequently, the cited portion of *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity" (emphasis added) for this reason as well. Once again, the "Response to Arguments" section completely fails to address or respond to this argument. *Office Action* at p. 3.

Furthermore, even if the information provider's public key were an "identifier of the data providing entity" as recited by claim 1, the cited portion of *Epstein* describes the user terminal as transmitting the encoded query to the information provider but does not disclose the user terminal transmitting the information provider's public key to the information provider. Thus, the cited portion of *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity" (emphasis added) for this reason as well. Once again, the "Response to Arguments" section completely fails to address or respond to this argument. *Office Action* at p. 3. Consequently, for at least several reasons, *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity" in as much detail and as arranged by claim 1.

b. Epstein fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity"

*Epstein* also fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity" as

recited by claim 1. In addressing this element, the Office Action attempts to equate a "user public key" and a "user random number" described by *Epstein* with the "principal identifier" recited by claim 1. In support of this mapping, the previous Office Action argued that "any transformed random number / public key that can uniquely identify a user is qualified as part of 'principle identifier' of the user . . . ." However, even assuming this assertion is correct, the cited portion of *Epstein* does not indicate that either the user public key or the user random number can uniquely identify the user. With respect to the user random number (RN), *Epstein* indicates that it identifies the specific query submitted by the user and/or the corresponding response package (RP) generated by the provider, not the user who submitted the query. See, e.g., *Epstein* at col. 4, ll. 16-18 (" . . . a random number sequence generated by the user for sole use in the query package . . . "); col. 7, ll. 20-22 ("The posted response package RP is found by the associated random number sequence RN . . . ") With respect to the user public key, *Epstein* indicates only that the user's public key is used to "encrypt the symmetric key SymK-info . . . to form a second part of response package RP." *Epstein* at col. 7, 4-6. Indeed, as Applicant previously noted, *Epstein* repeatedly stresses that the query is intended to be anonymous. See, e.g., *Epstein* at col. 2, ll. 9-11.

In response, the Office Action slightly changes wording, stating that "any data entity that is sufficient to uniquely distinct a given user/provider from others can thus constitutes an identity of a corresponding user/provider." *Office Action* at p. 2. Applicant respectfully disagrees. As shown above, the RN of *Epstein* identifies a specific query, not the specific user. Since the query is intended to be anonymous, this necessarily means that the specific user who sends it is not identified. Thus, neither the user random number nor the user public key identify the user as alleged by the Office Action. Consequently, even under the mapping of the Office Action, *Epstein* fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity" as recited by claim 1.

As a result, *Epstein* fails to recite every element of claim 1 in as much detail and as arranged by claim 1 for at least these reasons. Although of differing scope from

claim 1, claims 12 and 28 include elements that are not disclosed by *Epstein* for at least reasons analogous to those discussed with respect to claim 1. Claims 1, 12, and 28 are thus allowable for at least these reasons. Applicant respectfully requests reconsideration and allowance of Claims 1, 12, and 28, and their respective dependent claims.

## II. Claim 19

The Office Action improperly rejects claims 19 and 29 based on the language of claim 1. Claim 19, however, differs in wording from claim 1. Applicant respectfully notes that “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03 (*citing In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). The Office Action completely fails to address elements recited by claim 19 such as “the receiving unit . . . to receive a further encrypted access granting ticket for provision of access to further data related to the principal, said further data being available at a further data providing entity” (emphasis added) and “the processing unit generates a first request . . . and a further request” (emphasis added), and *Epstein* fails to disclose these elements.

As a result, *Epstein* fails to recite every element of claim 19 in as much detail and as arranged by claim 19 for at least these reasons. Although of differing scope from claim 19, claim 29 includes elements that are not disclosed by *Epstein* at least for analogous reasons to those discussed with respect to claim 19. Claims 19 and 29 are thus allowable for at least these reasons. Applicant respectfully requests reconsideration and allowance of Claims 19 and 29, and their respective dependent claims.

## IV. Claim 22

Although of differing scope from claim 1, claim 22 includes elements that are not disclosed by *Epstein* at least for analogous reasons to those discussed with respect to claim 1. For example, *Epstein* fails to disclose a receiving unit “wherein the receiving unit receives a request from a data requesting entity, the request comprising . . . a

*principal identifier representing the principal towards the data providing entity*  
(emphasis added) as recited by claim 22.

As a result, *Epstein* fails to recite every element of claim 22 in as much detail and as arranged by claim 22 for at least these reasons. Although of differing scope from claim 22, claim 30 includes elements that are not disclosed by *Epstein* for at least reasons analogous to those discussed with respect to claim 22. Claims 22 and 30 are thus allowable for at least these reasons. Applicant respectfully requests reconsideration and allowance of Claims 22 and 30, and their respective dependent claims.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

/Brian M. Kearns, Reg#62287/

Brian M. Kearns  
Registration No. 62,287

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Ericsson Inc.  
6300 Legacy Drive, M/S EVR 1-C-11  
Plano, Texas 75024

(972) 583-9447  
brian.kearns@ericsson.com